

## **EXHIBIT D**

**From:** John Kirkland  
**Sent:** Tuesday, January 7, 2020 6:36 PM  
**To:** Marc Ross <MRoss@SRF.LAW>; Joe Moscato <jmoscato@nugenerex.com>  
**Cc:** Rich Cockrell <rich@cg.capital>  
**Subject:** RE: Discover Growth Fund

Can we have an all hands call tomorrow to discuss?

The delay is an Trigger Event under Section I.H.1.c of the Note. In addition, we will have an express breach under Section V.A.1 of the Purchase Agreement if the registration statement is not filed by tomorrow.

We would prefer not to call a default under Section VI of the Purchase Agreement. But we need the registration statement filed ASAP



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**From:** Marc Ross <MRoss@SRF.LAW>  
**Sent:** Tuesday, January 7, 2020 5:55 AM  
**To:** Joe Moscato <[jmoscato@nugenerex.com](mailto:jmoscato@nugenerex.com)>  
**Cc:** John Kirkland <[jk@dgfunds.com](mailto:jk@dgfunds.com)>  
**Subject:** Re: [EXTERNAL] - RE: [EXTERNAL] - RE: [EXTERNAL] - RE: [EXTERNAL] - RE: Discover Growth Fund

Joe,

I land later in the day on Tuesday and will call you then.

Best,

**Marc J. Ross, Esq.**  
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1185 Avenue of the Americas,  
37th Floor